

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

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In re: Equifax, Inc. Customer Data Security Breach Litigation	)	MDL Docket No. 2800
	)	Case No.: 1:17-md-2800-TWT
	)	ALL CASES
	)	

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**NOTICE OF THIRD-PARTY DEPOSITION AND SUBPOENA  
RELATING TO GRAEME PAYNE**

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

Please take notice that, pursuant to Rules 30 and 45 of the Federal Rules of Civil Procedure, Plaintiffs in the consumer and financial institution tracks of this litigation, through their counsel, will take the deposition upon oral examination of Graeme Payne on Tuesday, April 16, 2019 at the offices of Chilivis, Cochran, Larkins & Bever, LLP, 3127 Maple Drive, N.E., Atlanta, Georgia 30305 beginning at 9:00 a.m. The deposition will be taken before a notary public authorized to administer oaths, will be recorded by stenographic means, may be videotaped, and will continue from day-to-day until completed. The deponent, Mr. Payne, is being subpoenaed to appear at the deposition and produce the documents described in the subpoena. A copy of the subpoena is attached to this Notice.

This 26<sup>th</sup> day of February, 2019

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*Financial Institution Plaintiffs' Steering Committee*

## UNITED STATES DISTRICT COURT

for the

\_\_\_\_ District of \_\_\_\_\_

*Plaintiff*

v.

*Defendant*\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_)

Civil Action No. \_\_\_\_\_

**SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION**

To:

(Name of person to whom this subpoena is directed)

**Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

Place:	Date and Time:
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The deposition will be recorded by this method: \_\_\_\_\_

**Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

*CLERK OF COURT*

OR

*Signature of Clerk or Deputy Clerk**Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_, who issues or requests this subpoena, are: \_\_\_\_\_

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (*name of individual and title, if any*) \_\_\_\_\_  
on (*date*) \_\_\_\_\_.

I served the subpoena by delivering a copy to the named individual as follows: \_\_\_\_\_

\_\_\_\_\_ on (*date*) \_\_\_\_\_; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

*Printed name and title*

\_\_\_\_\_ *Server's address*

Additional information regarding attempted service, etc.:  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed with this Court via its CM/ECF service, which will send notification of such filing to all counsel of record this 26th day of February, 2019.

/s/ Kenneth S. Canfield